

Hon. Stanley A. Bastian
Trial Date: March 6, 2023

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADLEY SHEPHERD, an individual,

Plaintiff,

vs.

CITY OF SEATTLE, a Washington
Municipality; and the SEATTLE POLICE
DEPARTMENT; and DOES 1 to 10
inclusive,

Defendants.

No. 2:22-CV-00019-SAB

**STIPULATED MOTION TO
CONTINUE TRIAL DATE AND
ALL PRE-TRIAL DEADLINES**

NOTE ON MOTION CALENDAR FOR:
JULY 21, 2022

I. INTRODUCTION & RELIEF REQUESTED

Plaintiff and Defendant City of Seattle (the “City”), by and through their undersigned attorneys, jointly request to change the currently scheduled trial date of March 6, 2023, to July 10, 2023. They further request the Court issue a new case schedule, resetting all case deadlines. The parties have been working diligently and in good faith to conduct discovery but given the scope of allegations, the universe of potentially relevant documents, and the addition of new co-counsel for Defendant, additional time is necessary to allow the parties sufficient time to complete discovery.

STIPULATED MOTION TO CONTINUE TRIAL DATE AND
ALL PRE-TRIAL DEADLINES (2:22-CV-00019-SAB) - 1

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II. FACTUAL BACKGROUND

Plaintiff filed his Complaint on January 7, 2022. Dkt. #1. Plaintiff's claims stem from an incident that occurred on June 22, 2014. This incident resulted in internal investigations conducted by Defendant as well as external investigations conducted by the Washington State Patrol and the Federal Bureau of Investigations. The incident also resulted in litigation, including a Disciplinary Review Board hearing, the outcome of which was appealed through the state court system. Given the extensive record, additional time is needed to complete discovery.

The Court entered its Jury Trial Scheduling Order on March 15, 2022, setting trial for March 6, 2023. Dkt. #11. Since that time, the parties have exchanged written discovery. Plaintiff provided responses to Defendant's discovery requests in June 2022 and has indicated he expects to supplement his responses as additional information becomes available. On June 27, 2022, Plaintiff served discovery requests on Defendant. Defendant is in the process of responding to Plaintiff's discovery requests and is also in the process of obtaining records from third party sources that were identified in Plaintiff's discovery responses it received in June 2022. No depositions have occurred to date.

In addition, Ms. Tilstra has been the sole attorney appearing on behalf of Defendant in this case until Assistant City Attorney Deborah Fiander appeared on July 14, 2022. Dkt. #14. As new co-counsel, Ms. Fiander will need time to familiarize herself with the case and its extensive record.

For the foregoing reasons, the parties propose a new trial date of July 10, 2023, which allows sufficient time to complete discovery. This is the first trial extension requested in this case.

III. LEGAL AUTHORITY

The Court's pretrial scheduling order "may be modified only for good cause and with the judge's consent." LCR 16(b)(6); *see also* Dkt. #11. Here, good cause exists to continue the trial date in this matter as there is insufficient time for the parties to complete discovery given the scope of

allegations and universe of potentially relevant documents, as well as the appearance of new co-counsel for Defendant. The parties are continuing to diligently pursue discovery in this matter but desire an extension for the foregoing reasons. The parties respectfully request that the Court continue the trial date to July 10, 2023, and adjust all other case deadlines accordingly.

IV. CONCLUSION

For the reasons set forth above, the parties request that their stipulated motion to continue the trial date be granted and the new trial date be set for July 10, 2023. The parties further request that all other case deadlines be continued in accordance with the new trial date.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD, this 21st day of July, 2022.

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